

AUG 04 2015

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

U.S. DISTRICT COURT  
W. DIST. OF N.C.

UNITED STATES OF AMERICA	)	DOCKET NO. 1:15 CR 7/
	)	
v.	)	<b><u>BILL OF INDICTMENT</u></b>
	)	
1) DANIEL ALFARO	)	
2) STEPHANIE ALVARENGA	)	Violations:
3) ANTONIO BARBOSA	)	21 USC § 846
4) ALLAN COLLADO-RAUDEZ	)	21 USC § 841(a)(1)
5) MARIA DEL RUIZ-ZAZUETA	)	18 USC § 924(c)(1)(A)
6) ERIC LEE GARBER	)	18 USC § 2
7) WADE HENDERSON	)	
8) EDUARDO LOPEZ	)	
9) BENJAMIN NELSON	)	
10) NAHUAN SOLANO	)	
	)	

**THE GRAND JURY CHARGES:**

**COUNT ONE**

From in or around May of 2014 and continuing until on or about May 9, 2015, in Henderson and Polk Counties, which are within the Western District of North Carolina, and elsewhere,

- 1) DANIEL ALFARO
- 2) STEPHANIE ALVARENGA
- 3) ANTONIO BARBOSA
- 4) ALLAN COLLADO-RAUDEZ
- 5) MARIA DEL RUIZ-ZAZUETA
- 6) ERIC LEE GARBER
- 7) WADE HENDERSON
- 8) EDUARDO LOPEZ
- 9) BENJAMIN NELSON
- 10) NAHUAN SOLANO

did knowingly and intentionally combine, conspire, confederate and agree with each other, and others, both known and unknown to the Grand Jury, to distribute and to possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance, and in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 841(b)(1)(B).

It is further alleged that, with respect to the conspiracy offense charged in Count One, 50 grams or more of actual methamphetamine, or 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **1) DANIEL ALFARO, 2) STEPHANIE ALVARENGA, 3) ANTONIO BARBOSA, 4) ALLAN COLLADO-RAUDEZ, 5) MARIA DEL RUIZ-ZAZUETA, 8) EDUARDO LOPEZ, 9) BENJAMIN NELSON, and 10) NAHUAN SOLANO.** Accordingly, Title 21, United States Code, Section 841(b)(1)(A) is applicable to **1) DANIEL ALFARO, 2) STEPHANIE ALVARENGA, 3) ANTONIO BARBOSA, 4) ALLAN COLLADO-RAUDEZ, 5) MARIA DEL RUIZ-ZAZUETA, 8) EDUARDO LOPEZ, 9) BENJAMIN NELSON, and 10) NAHUAN SOLANO.**

It is further alleged that, with respect to the conspiracy offense charged in Count One, 5 grams or more of actual methamphetamine, or 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **6) ERIC LEE GARBER and 7) WADE HENDERSON.** Accordingly, Title 21, United States Code, Section 841(b)(1)(B) is applicable to **6) ERIC LEE GARBER and 7) WADE HENDERSON.**

In violation of Title 21, United States Code, Section 846.

## **COUNT TWO**

On or about June 4, 2014, in Henderson County, within the Western District of North Carolina,

**7) WADE HENDERSON  
9) BENJAMIN NELSON**

did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 5 grams of actual methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT THREE**

On or about August 4, 2014, in Henderson County, within the Western District of North Carolina,

**2) STEPHENIE ALVARENGA  
5) MARIA DEL RUIZ-ZAZUETA  
10) NAHUAN SOLANO**

did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT FOUR**

On or about August 6, 2014, in Henderson County, within the Western District of North Carolina,

**2) STEPHENIE ALVARENGA  
5) MARIA DEL RUIZ-ZAZUETA  
10) NAHUAN SOLANO**

did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of actual methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT FIVE**

On or about October 10, 2014, in Henderson County, within the Western District of North Carolina,

- 3) ANTONIO BARBOSA**  
**4) ALLAN COLLADO-RAUDEZ**

did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 5 grams of actual methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT SIX**

On or about October 11, 2014, in Henderson County, within the Western District of North Carolina, and elsewhere

- 3) ANTONIO BARBOSA**  
**4) ALLAN COLLADO-RAUDEZ**  
**9) BENJAMIN NELSON**

did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of actual methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT SEVEN**

On or about October 12, 2014, in Henderson County, within the Western District of North Carolina,

- 3) ANTONIO BARBOSA**  
**4) ALLAN COLLADO-RAUDEZ**

did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of actual methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT EIGHT**

On or about December 30, 2014, in Henderson County, within the Western District of North Carolina,

- 1) DANIEL ALFARO**  
**2) STEPHANIE ALVARENGA**

did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved a mixture and substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

### **COUNT NINE**

On or about December 30, 2014, in Henderson County, within the Western District of North Carolina,

#### **1) DANIEL ALFARO**

did knowingly possess firearms, that is, a Jimenez Arms Inc. .22 cal. semi-automatic pistol and a Lorcin 9mm semi-automatic pistol, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute methamphetamine.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

### **COUNT TEN**

On or about January 8, 2015, in Henderson County, within the Western District of North Carolina,

#### **2) STEPHANIE ALVARENGA**

aiding and abetting others both known and unknown to the Grand Jury, did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved a mixture or substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

### **COUNT ELEVEN**

On or about January 12, 2015, in Henderson County, within the Western District of North Carolina,

#### **1) DANIEL ALFARO 2) STEPHANIE ALVARENGA**

did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of actual methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT TWELVE**

On or about May 4, 2015, in Henderson County, within the Western District of North Carolina, and elsewhere,

**2) STEPHANIE ALVARENGA  
8) EDUARDO LOPEZ**

did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 500 grams of a mixture and substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT THIRTEEN**

On or about May 9, 2015, in Polk County, within the Western District of North Carolina,

**6) ERIC LEE GARBER**

did knowingly and intentionally possess with intent to distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of a mixture and substance containing a detectable amount of methamphetamine.

In violation of Title 21, United States Code, Section 841(a)(1).

**NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE**

Notice is hereby given of 21 U.S.C. § 853, 18 U.S.C. § 924, and 28 U.S.C. § 2461(c). The following property is subject to forfeiture in accordance with Section 853, 924, and/or 2461(c):

- a. All property which constitutes or is derived from proceeds of the violations set forth in this bill of indictment;
- b. All property used or intended to be used in any manner or part to commit or facilitate such violations;
- c. All firearms or ammunition involved or used in such violations; and

- d. If, as set forth in 21 U.S.C. § 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendants to the extent of the value of the property described in (a), (b), and (c).

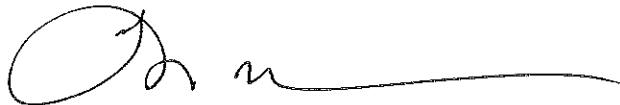
The Grand Jury finds probable cause to believe that the following property is subject to forfeiture on one or more of the grounds stated above:

- a. a Jimenez Arms Inc. .22 caliber semi-automatic pistol, bearing serial number 293435, a Lorcin 9mm semi-automatic pistol, bearing serial number L091726, and ammunition seized from 1) **DANIEL ALFARO's** vehicle in the vicinity of Bolton Court in Hendersonville on December 30, 2014 during the course of the investigation.

A TRUE BILL:

FOREPERSON

JILL WESTMORELAND ROSE  
ACTING UNITED STATES ATTORNEY



THOMAS M. KENT  
ASSISTANT UNITED STATES ATTORNEY